

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TRISTRATA TECHNOLOGY, INC.,)	
)	C. A. NO. 04-1263-JJF
Plaintiff,)	
)	
v.)	
)	
BEAUTY UNDERNEATH, ELLEN)	
LANGE SKIN SCIENCE, INC.,)	
JAN MARINI SKIN RESEARCH,)	
INC., INTERNATIONAL SHIELD INC.,)	JURY TRIAL DEMANDED
COSMESEARCH, INC.,)	
SKINCEUTICALS, INC.,)	
DERMATOLOGIC COSMETIC)	
LABORATORIES LTD., AND PERRI)	
SKIN CARE,)	
)	
Defendants.)	

**STIPULATION OF DISMISSAL WITH PREJUDICE
AS TO JAN MARINI SKIN RESEARCH INC.**

IT IS HEREBY STIPULATED AND AGREED, by and between Tristrata Technology, Inc. and Jan Marini Skin Research Inc., through their respective undersigned counsel of record, and subject to the Order of this Court that, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, all claims which Plaintiff asserts against Defendant, Jan Marini Skin Research Inc., and all counterclaims which Defendant, Jan Marini Skin Research Inc. asserts against Plaintiff, are hereby dismissed with prejudice.

Each party shall bear its own attorneys' fees and costs.

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SO ORDERED this ____ day of _____, 2005.

United States District Judge

693994

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CERTIFICATE OF SERVICE

I do hereby certify that, on August 9, 2005, the within document was electronically filed with the Clerk of Court using CM/ECF which will send notification of such filing to the following; that the document was served on the following counsel by hand; and that the document is available for viewing and downloading from CM/ECF.

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